

**At a Regular Meeting of the Town Council of the Town of Middletown,  
RI held at the Middletown Town Hall on Monday, March 5, 2012 at 6:00  
P.M.**

**Council President Arthur S. Weber, Jr., Presiding**

**Vice President Bruce J. Long**

**Councillor Richard Cambra**

**Councillor Christopher T. Semonelli**

**Councillor Antone C. Viveiros**

**Councillor Barbara A. VonVillas, Members Present**

**Councillor Edward J. Silveira, Jr., Absent**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

## **RECONSIDERATION**

**The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:**

**If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)**

**There were no reconsiderations**

**A moment of silence in honor of resident and Town employee Robert C. McLeish.**

## **INTERVIEW**

**1. 6:00 pm – Interview for Zoning Board of Review – Alan Kerr.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to begin said interview.**

**The Council interviewed Alan Kerr in open session.**

**Mr. Kerr responded to the following questions:**

- 1. What is your background?**
- 2. Are you available for meetings?**

**Mr. Kerr provided an overview of his personal background and his ability for commitment to meetings.**

## **BUDGET**

- 2. Library Board of Directors proposed FY2012-2013 Budget and matters related thereto.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to begin the Library Board of Directors proposed FY 2012-2013 budget presentation.**

**Present, representing the Library, were Librarian Theresa Coish, Library Board of Trustees Vice Chair Stephen E. Arendt and members Ellrony Williams and Ernest B. Gibbons, Jr. and Representatives from the Friends of the Library.**

**Vice Chair Stephen E. Arendt presented a power point outlining the proposed FY 2012-2013 budget, which is on file in the Office of the Town Clerk.**

**Librarian Theresa Coish presented a power point outlining services provided by the library, Children's Services, Story times, Summer Reading, Live Performances, Pumpkin Seed Contest, Name the Mermaid Contest, Children's Programming, Words into Poetry, Open Mic, Writing Workshops, Access to Public Computers and Busy Circulation Desk.**

**Discussion centered around the devotion and continuous efforts by the Friends of the Library, Services provided by the Library, Capital**

**Improvement Program and Library contract negotiations.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to recess this meeting at 7:01 pm.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to reconvene this meeting at 7:08 pm.**

## **PUBLIC FORUM SESSION**

**3. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

**No one addressed the Council during this session.**

## **CONSENT**

### **4. Approval of Minutes – Regular Meeting, February 21, 2012.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to approve said minutes.**

**5. Resolutions from Rhode Island Cities and Towns, re: Requesting support for H7055 Increasing number of voters per voting precinct, support in opposition to H7250 mandating expired teacher contracts must continue at the existing terms and conditions, support to amendments to the Rhode Island Low and Moderate Income Housing Act and support introduction and pass legislation authorizing School Committees to utilize bus monitors at their discretion. (See Attached list)**

**On motion of Vice President Long, duly seconded, it was voted unanimously to receive said resolutions.**

**6. Communication of Tax Assessor, with enclosures, re: Cancellation of Taxes for certain Middletown residents.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to receive said communication.**

**7. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to pass said resolution.**



**8. Applications received from the following named persons, firms and corporations for RENEWAL of Drain Layers Licenses for the 2012-2013 licensing year. (See Attached List)**

**On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license renewals.**

**9. Applications received from the following named persons, firms and corporations for RENEWAL of Holiday Sales Licenses for the 2012-2013 licensing year. (See Attached List)**

**On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license renewals.**

**10. Applications received from the following named persons, firms and corporations for RENEWAL of Sunday Sales Licenses for the 2012-2013 licensing year. (See Attached List)**

**On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license renewals.**

**11. Application for Special Event Permit from Family Motor Coach Association for the Memorial Day Weekend Motor home Rally – Annual Second Beach Rally to be held at Sachuest Beach arriving on Thursday, May 24, 2012 and Friday, May 25, 2012 with all coaches departing on Monday, May 28, 2012.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to grant said Special Event Permit.**

## **LICENSE**

**12. Application of Chris Mendoza dba Chris Mendoza Company, North Dartmouth, MA for a Drain Layer's License for the 2012-2013 licensing year. (NEW)**

**On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license.**

**13. Application of Michael Santos dba Sandy's Liquors, 717 Aquidneck Avenue, for a Sunday Selling License for the 2012-2013 licensing year. (NEW)**

**On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license.**

**14. Application of Sleepy's, LLC. dba Mattress Giant, 1305 West Main Road, for a Holiday Sales License for the 2012-2013 licensing year. (NEW)**

**On motion of Vice President Long, duly seconded, it was voted**

**unanimously to grant said license.**

**Vice President Long recused himself from acting on the following items #15 thru #20, due to a possible conflict of interest.**

## **COMMUNICATIONS OF TOWN ADMINISTRATOR**

**15. Memorandum of Town Administrator, with enclosures, re: Award of Contract Second Beach Food Concession.**

**Town Administrator Shawn Brown reviewed the memorandum, entered here:**

**On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said memorandum.**

**Peter Henderson, Pawtucket, RI, addressed the Council requesting reconsideration of the award of contract to Jay Vending Company. Mr. Henderson explained that his company has managed the Second Beach Concession stand for the past five years, maintaining a good relationship with patrons and staff.**

**16. Resolution of the Council, re: Award of Contract Second Beach Food Concession.**

**On motion of Councillor Semonelli, duly seconded, it was voted unanimously to pass said resolution.**

**17. Memorandum of Town Administrator, with enclosures, re: Award of Contract Second Beach Mobile Refreshment Concession.**

**Town Administrator Shawn Brown reviewed the memorandum, entered here:**

**On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said memorandum.**

**18. Resolution of the Council, re: Award of Contract Second Beach Mobile Refreshment Concession.**

**On motion of Councillor Semonelli, duly seconded, it was voted unanimously to pass said resolution.**

**19. Memorandum of Town Administrator, with enclosures, re: Award of Contract Third Beach Refreshment Concession.**

**Town Administrator Shawn Brown reviewed the memorandum, entered here:**

**On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said memorandum.**

**20. Resolution of the Council, re: Award of Contract Third Beach Refreshment Concession.**

**On motion of Councillor Semonelli, duly seconded, it was voted unanimously to pass said resolution.**

**Town Administrator Shawn Brown requested that items #21 and #22 be continued to the next regular meeting of the Council.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to continue items #21 and #22 to the next regular meeting of the Council, held on March 19, 2012.**

**21. Memorandum of Town Administrator, with enclosures, re: Second Beach Equipment Rental Concession.**

**22. Resolution of the Council, re: Second Beach Equipment Rental Concession.**

**23. Memorandum of Town Administrator, with enclosure, re: Stormwater Utility.**

**Town Administrator Shawn Brown reviewed the memorandum, entered here:**

**On motion of Vice President Long, duly seconded, it was voted unanimously to receive said memorandum.**



**Town Administrator Shawn Brown explained that the study will identify the Town and taxpayer responsibilities for Town-wide stormwater issues.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to authorize the Administration to secure grant funding from RIDEM authorized by Narragansett Bay and Watersheds Coordination and continue investigating the feasibility of a stormwater utility.**

## **APPOINTMENTS TO BOARDS & COMMITTEES**

**24. Appointment of four (4) members to the Zoning Board of Review; one (1) vacancy, regular member term expiring April 2017 and three (3) vacancies, alternate members terms expiring April 2013.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to receive said memorandum.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to reappoint Thomas Silveira, as a regular member for a term expiring April 2017, reappoint James Miller as 1st alternate, Nicholas Pasyanos as 2nd alternate and Olin Gambrell as 3rd alternate to the Zoning Board of Review for terms expiring April 2013.**

**25. Appointment of two (2) members to the Planning Board, terms expiring February 2015.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to reappoint Gladys Lavine and Joseph P. Marnane to the Planning Board for terms expiring February 2015.**

**26. Appointment of one (1) member to the Middletown Committee for the Arts, term expiring April 2015.**

**On motion of Vice President Long, duly seconded, it was voted**

**unanimously to reappoint Diane Kerins to the Middletown Committee for the Arts for a term expiring April 2015.**

**27. Appointment of one (1) resident for the Park Steward Program for a two year term.**

**On motion of Vice President Long, duly seconded, it was voted unanimously to appoint Ed Sisk as Park Steward of Demery Park for a term expiring March 2014.**

## **EXECUTIVE SESSION**

**Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-26-5 (a) (5) lease (East Main Road – Plat 118, Lot 31), (5) lease (JFK School) and (2) Collective Bargaining (Town Hall).**

**On motion of Vice President Long, duly seconded, it was voted**

**unanimously to recess open session at 7:34 P.M. and reconvene in executive session.**

**Vice President Long and Councillor Cambra were not present for the following votes.**

**On motion of Councillor VonVillas, duly seconded, it was voted unanimously to reconvene in open session at 8:16 P.M.**

**On motion of Councillor VonVillas, duly seconded, it was voted unanimously to instruct the Administration to draft the necessary letter to terminate the lease at East Main Road, Plat 118, Lot 31.**

**On motion of Councillor VonVillas, duly seconded, it was voted unanimously to authorize the amendment to the JFK lease.**

**On motion of Councillor VonVillas, duly seconded, it was voted unanimously to seal the minutes of executive session pursuant to Section 42-46-7. RIGL.**

**On motion of Councillor VonVillas, duly seconded, it was voted unanimously to adjourn said meeting at 8:20 P.M.**

**Wendy J.W. Marshall, CMC**

**Council Clerk**

**Published by ClerkBase**

**©2012 by Clerkbases. No Claim to Original Government Works.**